

out '\$1300' where it occurs and insert '\$1400.'"

Lost.

Senator Johnson called up his motion to reconsider the vote by which his amendment (providing for stenographer for Land Department) was lost,

Reconsidered.

Senator Johnson then withdrew his amendment and offered the following:

"Amend the bill, on page 6, after line 30, by adding the following: 'For salary of stenographer of Land Department, \$720.'"

Adopted.

By Senator Yantis:

"Amend page 2 by striking out line 27."

Adopted.

(Senator Burns in the Chair.)

By Senator Dibrell:

"Amend the bill by inserting between lines 22 and 23, on page 7, the following: 'To purchase two typewriters, provided the Attorney-General shall be authorized to exchange the two second-hand typewriters now on hand in part payment of the two new ones to be purchased, \$140.'"

Adopted.

By Senator Sebastian:

"Amend line 12, page 3, by striking out '\$1350' and insert in lieu thereof '\$1400.'"

Lost.

By Senator Dibrell:

"Amend the bill by inserting between lines 25 and 24, page 7, the following: 'For carpeting Attorney-General's office, \$142. For supplying furniture for office of Attorney-General, \$100.'"

Adopted.

By Senator Terrell:

"Amend by striking out '\$2160,' on page 6, line 3, and inserting '\$2400.'"

Lost.

By Senator Yantis:

"Amend page 7, line 8, by striking out '\$3000' in each column and insert in lieu thereof '\$2500,' and lines 9 and 10, page 7, by striking out '\$2500' and insert '\$2000' in each column."

Adopted.

Pending further action,

Senator Sebastian moved to postpone further consideration of the bill till tomorrow, 10 a. m.

Lost.

Senator James moved that the Senate adjourn to 10 a. m. tomorrow.

Adjourned.

31-Senate

FORTY-EIGHTH DAY.

Senate Chamber,

Austin, Texas, Friday, March 17, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Johnson.	Terrell.
Kerr.	Turney.
Linn.	Wayland.
Lloyd.	Yantis.
McGee.	Yett.

Absent.

Burns. Lewis.

Absent—Excused.

Goss.	Potter.
Grinnan.	Stone.
Neal.	

Prayer by the Chaplain, Rev. Dr. Denison.

Pending the reading of the Journal of yesterday,

On motion of Senator Patterson, the same was dispensed with.

EXCUSED.

On motion of Senator Atlee, Journal Clerk O'Quinn was excused for non-attendance on Monday, Tuesday and Wednesday of this week on account of sickness in his family.

On motion of Senator Miller, Senators Neal and Stone were excused for today on account of important committee duty.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, March 16, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 202, being a bill to be entitled "An Act to amend Article 5364, Title CXI, of the Revised Civil Statutes of 1895, relating to wool growing interest, so as to strike out the counties of Calhoun and Aransas from the exempt list,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room,
Austin, Texas, March 14, 1899.
Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 213, being a bill to be entitled "An Act to appropriate \$2500 to pay certain indebtedness of the Republic of Texas,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 16, 1899.
Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 117, being a bill to be entitled "An Act to amend an act entitled 'An Act to amend Sections 1069 and 1070 and Sections 2 and 3, of the Acts of the Special Session of the Twenty-fifth Legislature,' approved June 19, 1897, and to provide for the compensation and mode of payment of special judges appointed or selected thereunder, and to provide for the trial of cases by such special judges,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 16, 1899.
Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 203, being a bill to be entitled "An Act to authorize the several counties in this State to invest the permanent school fund belonging to such counties in their own bonds, and to use the proceeds thereof for general county purposes, and to make the county liable for such investment,"

And find the same correctly engrossed.
JAMES, Chairman.

Committee Room,
Austin, Texas, March 15, 1899.
Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 183, being a bill to be entitled "An Act to amend Articles 3972, 3973, 3973c, 3974 (1) and (2), 3974e, 3976c and 3980, Chapter 13, Title

LXXXVI, Revised Statutes, 1895, relating to boards of examiners and teachers,"
And find the same correctly engrossed.
JAMES, Chairman.

MAJORITY REPORT.

Committee Room,
Austin, Texas, March 17, 1899.
Hon. Jas. N. Browning, President of the Senate.

SIR: A majority of your Committee on State Affairs, to whom was referred

Senate bill No. 233, being a bill to be entitled "An Act to amend Section 23, of 'An Act to fix certain civil fees to be charged by certain county and precinct officers, and to fix and limit the fees and compensation of the clerks of the district courts, district attorneys, county attorneys, sheriffs and constables in felony cases, to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and regulate the compensation of the sheriff, clerk of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, justices of the peace and constables, and to prescribe penalties for the violations of this act, and to repeal all laws in conflict herewith,' approved June 16, 1897, so as to fix and limit the compensation of clerks of the county courts for certain services,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

GOUGH, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, March 17, 1899.
Hon. Jas. N. Browning, President of the Senate.

SIR: A minority of your Committee on State Affairs, to whom was referred

Senate bill No. 233, being a bill to be entitled "An Act to amend Section 23, of 'An Act to fix certain civil fees to be charged by certain county and precinct officers, and to fix and limit the fees and compensation of the clerks of the district courts, district attorneys, county attorneys, sheriffs and constables in felony cases, to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and regulate the compensation of the sheriff, clerk of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, justices of the peace and constables, and to prescribe penalties for the violations of

this act, and to repeal all laws in conflict herewith,' approved June 16, 1897, so as to fix and limit the compensation of clerks of the county courts for certain services,"

Said minority of the members of said Committee on State Affairs have had the same under consideration, and not being able to agree with the majority, beg leave to recommend that it *do not* pass.

ODELL,
KERR,
GOUGH.

Committee Room,
Austin, Texas, March 16, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 223, being a bill to be entitled "An Act to amend Article 4445, of the Revised Civil Statutes of the State of Texas, and to authorize railroad corporations to acquire new right of way for the purpose of shortening the line or reducing the grades,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

STAFFORD, Chairman.

Committee Room,
Austin, Texas, March 16, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Internal Improvements, to whom was referred

House bill No. 233, being a bill to be entitled "An Act to prohibit railroad companies, their officers, agents and employes from making excessive charges for carrying and transporting freight, goods, wares and merchandise; and to require said companies, their officers, agents and employes to deliver freight, goods, wares and merchandise on payment of the freight charges due, as shown by the bill of lading, and to provide penalties for the violation of this act,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

STAFFORD, Chairman.

Committee Room,
Austin, Texas, March 17, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 260, being a bill to be entitled "An Act to provide for the estab-

lishment, maintenance and government of a State normal school to be located at San Marcos, in Hays county, Texas, and to be known as the Southwest Texas Normal School,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

PATTERSON, Acting Chairman.

Committee Room,
Austin, Texas, March 17, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 265, being a bill to be entitled "An Act to amend Article 3964, of the Revised Civil Statutes of 1895, as amended by the Twenty-fifth Legislature, and providing for taking the scholastic census biennially,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it *do* pass.

PATTERSON, Acting Chairman.

BILLS AND RESOLUTIONS.

By Senator Miller:

Senate bill No. 269, A bill to be entitled "An Act for the better protection of the interests of policy holders of life insurance companies."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Miller:

Senate bill No. 270, A bill to be entitled "An Act to amend Article 2908, Chapter 6, Title LII, of the Revised Civil Statutes of the State of Texas, and to provide for the qualifications of the Commissioner of Agriculture, Insurance, Statistics and History."

Read first time, and referred to Committee on Finance.

By Senator Lloyd:

Senate bill No. 271, A bill to be entitled "An Act to organize a Board of Pardon Advisers, and more fully define its powers and duties."

Read first time, and referred to Committee on Penitentiaries.

By Senator Hanger:

Senate bill No. 272, A bill to be entitled "An Act to regulate the purchase, sale and transfer of stocks of goods, wares and merchandise in bulk; and providing for the making of a written statement under oath of the vendor of any stock of goods, wares or merchandise in bulk; said statement under oath to contain the name and addresses of all of the creditors of said

vendor, together with the amount of such indebtedness."

Read first time, and referred to Judiciary Committee No. 1.

Call concluded.

SPECIAL ORDER.

The Chair laid before the Senate, on second reading, special order, Substitute Senate bill No. 65 (general appropriation bill), action being on engrossment.

On motion of Senator Morriss the pending business was suspended to take up, on second reading,

Substitute Senate bill No. 162, A bill to be entitled "An Act to define white-capping, and fixing a punishment therefor."

The bill was read a second time, with committee substitute.

The committee substitute (see Journal of March 2) was read, and adopted.

By Senator Morriss:

"Amend by adding Section 2:

"Section 2. The crowded state of the calendars of both houses makes the consideration of measures now pending very doubtful, creates an emergency and imperative public necessity, which demands that the constitutional rule requiring bills to be read on three several days be suspended, and this act shall become operative immediately after its passage, and it is so enacted."

Adopted.

The bill as amended was ordered engrossed.

On motion of Senator Morriss the constitutional rule requiring bills to be read on three several days was suspended, and the bill placed upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Sebastian.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Burns.	Ross.
Kerr.	Stafford.
Lewis.	

Absent—Excused.

Goss.	Potter.
Grinnan.	Stone.
Neal.	

The bill was read a third time, and passed by the following vote:

Yeas—21.

Atlee.	Miller.
Davidson.	Morriss.
Dibrell.	Odell.
Gough.	Patterson.
Greer.	Sebastian.
Hanger.	Terrell.
James.	Turney.
Johnson.	Wayland.
Linn.	Yantis.
Lloyd.	Yett.
McGee.	

Absent.

Burns.	Ross.
Kerr.	Stafford.
Lewis.	

Absent—Excused.

Goss.	Potter.
Grinnan.	Stone.
Neal.	

Senator Morriss moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Davidson the pending business was suspended to take up

Senate bill No. 116, A bill to be entitled "An Act to amend Articles 529, 529e, 529l, of Chapter 5, Title XIII, of the Revised Penal Code of the State of Texas of 1895, and adding thereto Article 529u, and amending Articles 529g and 529s, and repealing Subdivision 18, of Article 529g, of Chapter 98, of the General Laws of the State of Texas of 1897, relating to the offenses for the protection of fish, birds and game, and to repeal all laws in conflict herewith," which had passed the House with amendment.

Senator Davidson moved to concur in the House amendment.

Concurred.

On motion of Senator Lloyd the pending business was suspended to take up, on third reading,

Senate bill No. 245, A bill to be entitled "An Act to repeal 'An Act to incorporate the town of Jacksonville, in Cherokee county, Texas,' passed at the session of the Thirteenth Legislature."

The bill was read a third time, and passed.

Senator Lloyd moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives,
Austin, Texas, March 17, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bill:

Senate bill No. 64, A bill to be entitled "An Act for the better protection of the farmer in the purchase of commercial fertilizers and commercial poisons, and for other purposes."

Respectfully,
LEE J. ROUNTREE,

Chief Clerk House of Representatives.

Resuming consideration of pending business (Substitute Senate bill No. 65, general appropriation bill), the following amendments were offered:

By Senator Dibrell:

"Amend bill, in line 22, on page 1, by inserting '\$2000' in each column in lieu of '\$1800.'"

Adopted.

By Senator Miller:

"Amend Senate bill No. 65 by adding, on page 10, line 18, after the word 'commissioner,' 'who shall be a competent actuary.'"

Lost.

By Senator Greer:

"Amend page 6, line 28, by striking out '1600' in both columns and in line 29, the figures '1140' in each column and insert in lieu thereof in each place the figures '1200.'"

Lost.

By Senator Stafford:

"Amend page 21, lines 29 and 30, by striking out '\$1250' and inserting in lieu thereof '\$1500.'"

By Senator Morriss:

"Amend the amendment by making '\$1250,' in line 31, read '\$1500.'"

Adopted.

The amendment as amended was adopted.

(Senator Gough in the Chair.)

By Senator Linn:

"Amend line 15, page 3, by striking out '1080' where it occurs and insert in lieu thereof '1200.'"

Adopted.

By Senator Turney:

"Amend the bill, page 36, in line 12, by striking out 'four' and substitute in lieu thereof 'six,' and by striking out '\$1440' in both columns and insert in lieu thereof '\$2160,' and in line 18 by striking out '200' in both columns and insert in lieu thereof '300,' and in line 20 by striking out '75' in both columns and insert in lieu thereof '100,' and in line 25

by striking out '2500' in both columns and insert in lieu thereof in the first column '5000,' and by inserting between lines 26 and 27 the following, "To pay for weather stripping, \$250; pipe and fittings, \$500; to purchase new boiler, engine and dynamo, including connections, \$3000.'"

At request of Senator Turney, the amendment was considered by *items*, and each was

Adopted.

By Senator Stafford:

"Amend page 17, lines 26, 27 and 28, by striking out '\$1250' and insert in lieu thereof '\$1500.'"

Adopted.

By Senator Stafford:

"Amend lines 26, 27 and 28, page 19, by striking out '\$1250' and inserting in lieu thereof '\$1500.'"

Adopted.

By Senator McGee:

"Amend page 4, line 10, by striking out '1500' wherever it occurs and insert in lieu thereof '1450.'"

Lost.

(Lieutenant-Governor Browning in the Chair.)

By Senator Dibrell:

"Amend the bill, on page 16, by inserting between lines 8 and 9 the following: 'For the payment of commissions and fees due district and county attorneys or attorneys ad litem on collections of interests and forfeiture of all school lands, said money so collected and land so forfeited being the property of the free school fund. The accounts of the district or county attorneys approved and verified by the State Treasurer shall be sufficient authority for the Comptroller to draw his warrant for the payment of such commissions, \$600.'"

Adopted.

Senator Dibrell moved to reconsider the vote by which the amendment offered on yesterday by Senator Lloyd, to wit:

"Amend page 10, line 10, by striking out '\$7500' in each column, and inserting '\$1500,' was lost.

The amendment was then adopted.

(Senator Atlee in the Chair.)

By Senator McGee:

"Amend page 4, line 11, by striking out '1200' where occurring and insert '1080' instead. and by striking out '1500' where occurring in line 12 and insert '1350' instead: and by striking out '1200' where occurring in line 16 and insert '1080' instead; and by striking out '1200' where occurring and insert '1080' in lieu thereof. and by striking out '1200' and insert '1080' in lieu thereof, and by strik-

ing out '1400' where occurring in line 19 and inserting '1140' instead, and by striking out '1400' where occurring and insert '1200' instead."

Lost by the following vote:

Yeas—4.

Lloyd.	Terrell.
McGee.	Yantis.

Nays—17.

Atlee.	Morriss.
Davidson.	Odell.
Dibrell.	Patterson.
Greer.	Ross.
Hanger.	Sebastian.
James.	Stafford.
Kerr.	Wayland.
Linn.	Yett.
Miller.	

Absent.

Burns.	Lewis.
Gough.	Turney.
Johnson.	

Absent—Excused.

Goss.	Potter.
Grinnan.	Stone.
Neal.	

By Senator Linn:

"Amend line 6, page 35, by striking out '\$1000, \$1000' and inserting in lieu thereof '\$1250, \$1250.'"

Lost.

By Senator Terrell:

"Amend by adding after line 28, page 6, 'one additional sales clerk, \$1200.'"

Adopted.

The bill as amended was ordered engrossed by the following vote:

Yeas—15.

Atlee.	Morriss.
Davidson.	Patterson.
Dibrell.	Ross.
Greer.	Sebastian.
Hanger.	Stafford.
Kerr.	Wayland.
Linn.	Yett.
Miller.	

Nays—6.

James.	Odell.
Lloyd.	Terrell.
McGee.	Yantis.

Absent.

Burns.	Lewis.
Gough.	Turney.
Johnson.	

Absent—Excused.

Goss.	Potter.
Grinnan.	Stone.
Neal.	

(Lieutenant-Governor Browning in the Chair.)

Senator Dibrell moved to suspend the constitutional rule requiring bills to be read on three several days, and that the bill be placed upon its third reading and final passage.

Lost by the following vote (requiring a four-fifths vote):

Yeas—17.

Atlee.	Morriss.
Davidson.	Odell.
Dibrell.	Patterson.
Greer.	Ross.
Hanger.	Sebastian.
Johnson.	Stafford.
Kerr.	Wayland.
Linn.	Yett.
Miller.	

Nays—5.

James.	Terrell.
Lloyd.	Yantis.
McGee.	

Absent.

Burns.	Lewis.
Gough.	Turney.

Absent—Excused.

Goss.	Potter.
Grinnan.	Stone.
Neal.	

On motion of Senator Stafford, the regular order of business was suspended to take up, on second reading,

Senate bill No. 224, A bill to be entitled "An Act to create a commission to be known as the Texas State Historical Commission, and to define the duties and powers of said commission."

The bill was read a second time, and ordered engrossed.

On motion of Senator McGee, the regular order of business was suspended to take up, on third reading,

Senate bill No. 157, A bill to be entitled "An Act to amend Article 200, Chapter 2, Title VII, of the Penal Code of the State of Texas, adopted at the Regular Session of the Twenty-fourth Legislature, 1895, excepting certain persons from the operation of Article 199."

The bill was read a third time, and passed.

Senator Ross called up

Senate bill No. 176, A bill to be entitled "An Act to amend 'An Act to incorporate the city of Paris, and to prescribe its duties and liabilities,' adopted by the Twenty-first Legislature of Texas, and approved March 27, 1889, by amending Section 25 of said act, and adding Section 31a thereto," which had passed the House with amendments, and moved to concur in said amendments.

Concurred.

BILLS SIGNED.

The Chair gave notice of signing and did sign in the presence of the Senate, after their captions had been read,

Senate bill No. 122, "An Act to provide for the redemption of land sold under decree of court for taxes due an incorporated city or town, and providing that redemption of the land so sold may be had within two years from the date of such sale, and providing the terms, conditions and penalties incident thereto."

Senate bill No. 153, "An Act to amend Section 22, of 'An Act to fix certain civil fees to be charged by certain county and precinct officers, and to fix and limit the fees and compensation of clerks of the district courts, district attorneys, county attorneys, sheriffs and constables in felony cases, to be paid by the State, and to fix the compensation of assessors and collectors of taxes, and to limit and regulate the compensation of sheriffs, clerks of the county court, county judge, district and county attorney, clerk of the district court, assessor and collector of taxes, justices of the peace and constables, and to prescribe penalties for the violation of this act, and to repeal all laws in conflict herewith,' approved June 16, 1897, so as to fix and limit the compensation of clerks of the district courts for certain services."

Senate bill No. 206, "An Act to authorize corporations now or hereafter incorporated under the laws of this State for the purpose of acquiring and operating union passenger depots to condemn land for the purpose of their incorporation."

Senator Miller moved to adjourn to 10 a. m. Monday.

Senator Yantis moved to adjourn to 3 p. m. today.

Action being first had on the longest time, the Senate adjourned to Monday next at 10 a. m.

FORTY-NINTH DAY.

Senate Chamber.

Austin, Texas, Monday, March 20, 1899.

Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the chair.

Roll called. Quorum present. the following Senators answering to their names:

- | | |
|-----------|----------|
| Atlee. | Gough. |
| Burns. | Greer. |
| Davidson. | Grinnan. |
| Dibrell. | Hanger. |
| Goss. | James. |

- | | |
|------------|------------|
| Kerr. | Ross. |
| Lewis. | Sebastian. |
| Lloyd. | Stone. |
| Morriss. | Turney. |
| Odell. | Wayland. |
| Patterson. | Yantis. |
| Potter. | Yett. |

Absent.

- | | |
|----------|-----------|
| Johnson. | Miller. |
| Linn. | Stafford. |
| McGee. | Terrell. |

Absent—Excused.

Neal.

Prayer by the Chaplain, Rev. Dr. Deussen.

Pending the reading of the Journal of yesterday,

On motion of Senator Kerr, the same was dispensed with.

EXCUSED.

On motion of Senator Hanger, Senator Miller was excused for today and tomorrow on account of sickness and death in his family.

EXECUTIVE MESSAGE.

(Vetoing Senate bill No. 154.)

The following message from the Governor was received, read, and, on motion of Senator Gough, referred to the Committee on Internal Improvements, to wit: *To the Honorable the Senate:*

I return herewith Senate bill No. 154, without my approval, and in support of this action I have to submit as follows:

That the physical relations of the Missouri, Kansas & Texas Railway Company of Texas and of the Sherman, Shreveport & Southern Railway Company, whose roads it is proposed to consolidate, may be properly understood, it is necessary to note the distance between the town of Greenville, in Hunt county, through which the roads of both companies pass, and the city of Galveston, which is the principal seaport of the State. The distance between the two points named, that is, Greenville and Galveston, over the Sherman, Shreveport & Southern Railway to Jefferson, thence to Longview over the Texas & Pacific Railway and thence over the International & Great Northern Railway, is 443 miles; that over the road belonging to the Missouri, Kansas & Texas Railway Company of Texas to Mineola, thence over the International & Great Northern Railway, is 342 miles; that over a line of the Missouri, Kansas & Texas Railway Company of Texas to Dallas and thence by the